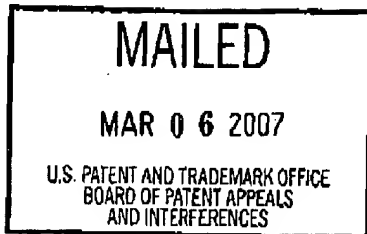


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UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

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OPPENHEIMER WOLFF &  
DONNELLY LLP  
45 SOUTH SEVENTH STREET,  
SUITE 3300  
MINNEAPOLIS, MN 55402

Appel No: 2007-0891  
Appellant: IAN BAIRD-SMITH et al.  
Application No: 09/445,043  
Hearing Room: B  
Hearing Docket: B  
Hearing Date: Thursday, April 05, 2007  
Hearing Time: 09:00 AM  
Location: Madison Building - East Wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450

**NOTICE OF HEARING  
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS**

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

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Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
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In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ( ) HEARING ATTENDANCE CONFIRMED

X HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

3/22/07

Registration No.

34,950

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/web/offices/dcom/counsel/contact.htm#bpa\\_contacts](http://www.uspto.gov/web/offices/dcom/counsel/contact.htm#bpa_contacts)

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## FAX COVER LETTER

March 22, 2007

TO: Commissioner for Patents  
COMPANY: U.S. Patent and Trademark Office  
FAX: (571) 273-8300

FROM: Barbara A. Wrigley  
DIRECT DIAL: (612) 607-7595  
EMAIL: BWrigley@oppenheimer.com  
RE: U.S. Patent Application No. 09/445,043  
Title: AN OPEN ENDED CONTAINER CLOSURE INCLUDING A FLEXIBLE ...  
Filed: March 20, 2000  
Art Unit: 3727  
Attorney Docket No.: 350013-65

## CERTIFICATE OF TRANSMISSION

I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number 571/273-8300 on March 22, 2007.

  
K. J. Rostberg  
Date

## 2. Waiver of Hearing Attendance.

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